

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

LAW FIRM OF BRIAN W. HOFMEISTER, LLC

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Attorneys for EZ Auto Service, Inc,

In Re:

HENRY A. JACKSON



Order Filed on April 16, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-17936

Chapter 11

Judge: Michael B. Kaplan

**AMENDED ORDER MODIFYING ORDER GRANTING MOTION TO COMPEL SALE OF
PROPERTY AND REQUIRING DEBTOR TO ASSUME CONTRACT**

The relief set forth on the following pages, numbered two (2) through two (2) is
hereby **ORDERED**.

DATED: April 16, 2017

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Henry A Jackson

Case No: 16-17936

Caption of Order: Amended Order Modifying Order Granting Motion to Compel Sale of Property and Requiring Debtor to Assume Contract

THIS MATTER having been brought before the Court by Law Firm of Brian W. Hofmeister, LLC, attorneys for Movant, EZ Auto Service, Inc. (the “Movant”) by way of Motion for an Order Modifying November 30, 2016 Order to Compel Sale of Property and Requiring Debtor to Assume or Reject Contract (the “Motion”); and notice of the Motion appearing appropriate under the circumstances; and the Court finding that the Motion was filed in in good faith; and for the reasons set forth on the record on November 9, 2016; and for other good cause shown:

IT IS HEREBY ORDERED:

1. The Motion is GRANTED and the Debtor is hereby ordered to convey title to the Debtor’s interest in real property located at 787 & 789 Monmouth Road, Cream Ridge, Plumsted Township, New Jersey (the “Property”) in compliance with the terms and provisions of the Lease to Purchase Agreement executed by the Debtor and the Movant dated May 18, 2011 (the “Agreement”).

2. In the event that the Debtor does not comply with the terms of this Order and refuses to convey title to the Property to the Movant, the Movant is hereby permitted, on behalf of the Debtor, to execute any and all documents necessary to convey title to the Property to the Movant, consisted with the terms and conditions of the Agreement. The Movant shall have 120 days from the date of this Order to close title on the sale of the Property.

3. The Debtor’s request to reject the Lease to Purchase Agreement, dated May 18, 2011, is denied as not being in the best interest of the bankruptcy estate.

4. This Court retains jurisdiction regarding any issues that may arise in connection with closing on the sale of the Property.

5. The Motion is GRANTED and the November 30, 2016 Order be modified as follows: the sale of the “Property” shall be free and clear of any and all liens, claims and encumbrances, including any of the parties listed on the attached Exhibit “A”, who hold a lien, claim or encumbrance against the Debtor’s interest in the Property with the exception of the secured mortgage/liens of L.S. Riggins Oil Company, Wachovia Bank and The Bank and any unpaid real estate taxes.

Michael R. DuPont, Esq. McKenna, DuPont, Higgins & Byrnes 229 Broad Street PO Box 610 Red Bank, NJ 07701-0610	representing Newark B.O.E. Employees Credit Union
William M.E. Powers, III, Esq. Powers Kirn, LLC P.O. Box 848 Moorestown, NJ 08057	representing U.S. Bank National Association as Trustee for CMALT REMIC Series 2006-A5-REMIC Pass- Through Certificates Series 2006-A5
Robert P. Saltzman, Esq. Pluese, Becker & Saltzman, LLC 20000 Horizon Way, Suite 900 Mt. Laurel, NJ 08054-4318	representing Ditech Financial LLC
Tammy L. Terrell, Esq. Fein, Such, Kahn & Shepard, P.C. 7 Century Drive, Suite 201 Parsippany, NJ 07054	representing Citimortgage, Inc.
Hough Petroleum c/o O'Brien & Taylor 175 Fairfield Ave. West Caldwell, NJ 07507	judgment creditor
PNC Bank c/o Schatzman Baker 731 Alexander Rd, Ste 201 Princeton, NJ 08540	judgment creditor
Wachovia Bank c/o Dembo & Saldutti 1300 Route 73 Mount Laurel, NJ 08054	judgment creditor
Lyon Financial Services d/b/a USBankcorp Manifest Funding Srvcs Charles A. Gruen, Esq. 381 Broadway Westwood, NJ 07675	judgment creditor
State of New Jersey Division of Taxation 50 Barrack Street Trenton, NJ 08650	judgment creditor

Ewing Oil Co., Inc. c/o Duane Morris, LLP 1037 Raymond Blvd., Suite 1800 Newark, NJ 07102	judgment creditor
Bordentown Family Dental c/o David B. Watner, Esq. 1129 Bloomfield Ave., Suite 208 West Caldwell, NJ 07006	judgment creditor
Midland Funding, LLC c/o Pressler & Pressler 7 Entin Road Parsippany, NJ 07054	judgment creditor
John J. Gallo c/o Stein & Supsie 1041 W. Lacey Rd PO Box 1070 Forked River, NJ 08731	judgment creditor
State of New Jersey Department of Environmental Protection 401 E State St. Trenton, NJ 08608	judgment creditor
Diane Jones c/o Krueger & Krueger 2015 North Wood Ave Linden, NJ 07036	judgment creditor
Sheldon Kamm c/o Bernard J. Recenello, Esq. 22 N Park Pl Fl 3-2 Morristown, NJ 07960	judgment creditor
Virginia Beach General Hospital c/o Bowerman and Willis 708 S Rosemont Rd Suite 101 Virginia Beach, VA 23552	judgment creditor
Joseph Ocello, Esq. PO Box 444 Bradley Beach, NJ 07720	judgment creditor

Garden State Car Rental c/o Fein Such 7 Century Drive, Suite 201 Parsippany, New Jersey 07054	judgment creditor
New Century Financial Services c/o Pressler & Pressler 7 Entin Road Parsippany, NJ 07054	judgment creditor
Capital One Bank c/o Pressler & Pressler 7 Entin Road Parsippany, NJ 07054	judgment creditor
Eds Rental and Tools, Inc. c/o Morgan Bornstein Morgan 1236 Brace Road, Suite K Cherry Hill, NJ 08034	judgment creditor
Office of the Public Defender 25 Market St. Trenton, NJ 08611	judgment creditor
FirstBank Corporate Headquarters 12345 W. Colfax Ave. Lakewood, CO 80215	judgment creditor
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346	judgment creditor
US Bancorp 800 Nicollet Mall Minneapolis, MN 55402	judgment creditor
The Bank 1304 North Cutting Ave Jennings, LA 70546	judgment creditor
L.S. Riggins Oil Company 401 S Main St. Cape May Court House, NJ 08210	judgment creditor

L.S. Riggins Oil Company Attn: Jen Merlino 3938 South Main Rd Vineland, NJ 08360	judgment creditor
Wachovia Bank 123 South Broad Street Philadelphia, PA 19109	judgment creditor
The Bank PO Box 508 Lehigh Valley, PA 18002-5091	judgment creditor

Certificate of Notice Page 7 of 7
United States Bankruptcy Court
District of New Jersey

In re:
Henry A Jackson
Debtor

Case No. 16-17936-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 21, 2017.

db +Henry A Jackson, 35 Tower Road, Cream Ridge, NJ 08514-2428

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 21, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 19, 2017 at the address(es) listed below:

Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank, N.A., successor trustee bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Brian W. Hofmeister on behalf of Interested Party EZ Auto Services, Inc. bwh@hofmeisterfirm.com
Brian W. Hofmeister on behalf of Interested Party Sikander Ranu bwh@hofmeisterfirm.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. Ferguson on behalf of Creditor Fulton Bank of New Jersey dferguson@egclawfirm.com
Jeffrey M. Sponder on behalf of U.S. Trustee United States Trustee jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov
Michael R. DuPont on behalf of Creditor Newark B.O.E. Employees Credit Union dupont@redbanklaw.com, dana@redbanklaw.com
Robert P. Saltzman on behalf of Creditor Ditech Financial LLC dnj@pbslaw.org
Scott E. Kaplan on behalf of Debtor Henry A Jackson scott@sekaplanlaw.com, felisha@sekaplanlaw.com, sekparalegal@gmail.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov
William M.E. Powers, III on behalf of Creditor U.S. Bank National Association as Trustee for CMALT REMIC Series 2006-A5-REMIC Pass-Through Certificates Series 2006-A5 ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor CitiMortgage, Inc. ecf@powerskirn.com
TOTAL: 12